



**Greater Sudbury Source Protection Committee
45th Meeting
March 20, 2012**

Held: Room C-12, Tom Davies Square

Commenced at: 1:10 p.m.

Adjourned at: 4:00 p.m.

Present:

Nels Conroy, Chair	Greg Haddad
Paul Baskcomb	Stephen Monet
Luc Bock	Lilly Noble
Richard Bois	Tim Worton
Nick Benkovich	

Also Present:

Neil Gervais, Ministry of the Environment Liaison
Richard Auld, Sudbury & District Health Unit Liaison
Burgess Hawkins, Sudbury & District Health Unit Liaison
Judy Sewell, Drinking Water Source Protection
Jessica Brunelle, Drinking Water Source Protection
Katherine Mackenzie, Drinking Water Source Protection
Paul Sajatovic, Nickel District Conservation Authority

Communications:

Kris Longston	Bob Rogers
Heather Mandamin	Marc Rondina
Cheryl Recollet	Wendy Wisniewski

1. Chair Conroy Opened the Meeting

Chair Conroy began the meeting by welcoming all SPC members and thanking them for attending a second meeting in March. Nels thanked Lilly for the article she wrote for the ReThink Green Newsletter that was linked to from the Conservation Ontario website and newsletter. Nels asked Lilly if she had any further updates to provide to the committee, she shared news that the Watershed Alliance had their first AGM recently and was building a new membership and vision moving forward.

Nels shared news from the Walden Community Action Network who will be hosting a water workshop on April 21, 2012. This information, along with ReThink Green's newsletter was submitted to Conservation Ontario and was shared with all CAs.

Nels gave a brief overview of items to be discussed during the meeting as a follow up to the March 6th SPC meeting and the corresponding working group meetings.

2. Declarations of Conflict

No declarations of conflict were declared.

3. Adoption of Agenda

Resolution 2012 – 04

Noble – Haddad

That the agenda for March 20, 2012, Greater Sudbury Source Protection Committee meeting be adopted as circulated.

Carried.

4. Adoption of Minutes of the Previous Meeting

Resolution 2012 – 05

Baskcomb – Noble

That the minutes for the March 6, 2012, Greater Sudbury Source Protection Committee meeting, as duplicated and circulated, be approved.

Carried.

5. Business Arising from the Minutes

The committee was updated on the pre-consultation status and informed that responses have been received by all of the implementing bodies and other organizations including the Ontario Ministry of Agricultural, Food and Rural Affairs (OMAFRA) and the Technical Standards and Safety Authority (TSSA). Katherine hosted a working group meeting on March 13th with key municipal staff members to discuss stormwater and related policies.

Nels had previously asked for clarification on the SPC's responsibility for commenting on future developments in vulnerable areas. It was suggested that the committee formally ask the NDCA to provide comments highlighting the draft policies of the SPC. Bob had indicated that the Authority would welcome instructions from the committee. Nels intends to follow-up with a letter on this matter.

Katherine updated the committee on the signage policy. At the last meeting, committee members agreed that the city should only replace the signs as needed rather than installing them en-mass. MTO responded to the suggestion immediately and has agreed to allow the city to follow this procedure.

Katherine also updated the committee on a proposed DNAPL policy change. Originally, the policy would have made RMPs a requirement for any amount stored in a vulnerable area.

Discussions from the March 6th meeting indicated choosing wording that would limit either the areas where this would apply or the volume that the policy would apply to. Katherine was directed to follow-up on an appropriate volume cut-off based on what the City's household hazardous waste depot accepts. She found out that the depot does not put a limit on the amount of waste it accepts, but if staff think that the waste is not household (but rather, for example, commercial), then they can refuse to accept it. She recommended that the committee accept a 25L cut –off, as this volume and policy option was used by some other CAs and is the same as the limit for organic solvents. The SPC agreed that this was a reasonable volume limit to set for the DNAPLs policies.

6. Communications

Judy indicated that there were no new communication items related to the Source Protection Plan. A phone call was received from a member of the Lake Advisory Panel who was seeking information about the official plan. City staff and NDCA staff noted that the NDCA has been providing input into the official plan as part of the Provincial One Window Core Team.

7. Proposed Policy Revisions from March 13th Working Group Meeting

Katherine led a discussion on the outcomes from the stormwater, salt and snow working group meeting with city engineers and planning staff. She provided overviews of pre-consultation comments received related to these policies.

Sa4F-LUP: The City, MMAH and MOE commented that parts of this policy (e.g. application of road salt, activities, BMPs) could not be addressed via land use planning (LUP).

S8F-LUP: The City commented that this policy required clarification as to the expectations around BMPs. The MMAH questioned whether the policy could be implemented as written, and the MOE commented that the policy language was weak.

S12F-SA: This policy was written to apply to only development applications in Vermilion IPZ-1. MMAH commented that as written it would not be clear how it could be implemented and it should be written to apply to the Official Plan (OP).

The policy working group recommended folding these three policies into one addressing the Official Plan based on a policy from the Lake Simcoe Protection Plan. The SPC accepted the new policy after some discussion.

Lilly found that the language used in the policy was too weak and also questioned the volumes listed, wondering if they were too liberal. Paul B. indicated that the wording had been directly pulled from the Lake Simcoe Protection Plan which was designed to have some flexibility.

Katherine went on to discuss the city's stormwater strategy policy. Originally the policy stated that this would be complete in one year. The City's written pre-consultation comments requested extending this to 3 years, and at the working group meeting, a request was made for five years. Annual reporting until the strategy is done will also be included in the policy to ensure the committee receives updates on progress. The committee's recommendation was to accept the 5 year schedule along with annual reporting.

Infiltration Ponds: Katherine discussed a policy example from Credit Valley/Toronto that prohibits the building of storm water infiltration ponds in WHPAs. The SPC decided not to adopt this policy because it is preferable to rely on the new OP policy and also the MOE Prescribed Instrument policy which would require the MOE to deny an Environmental Compliance Approval for an infiltration pond.

Monitoring Discussion:

Lilly commented on the Lake Simcoe Protection Plan by asking how to measure the efficiency of the plan, how to see changes before and after the plan is released. She felt that monitoring had to be done now and continued in order to see results. Nels explained that the theory behind the monitoring in the Simcoe Plan was likely based on a model and not a field sampling program. Paul B. suggested that staff members speak with Ron Norton at the city to gather more information on the monitoring currently taking place. Nels wondered about the feasibility of having a policy that would mimic the long term modeling seen in the Lake Simcoe Plan.

Neil explained that issues monitoring should include sampling raw water at the intake. "Raw water" was not currently specified in the policy, and the SPC agreed that raw water should be specified in the policy. Katherine will make this change. Any additional monitoring or specifics would have to be decided upon at a later time. Any monitoring related to the issues (phosphorus and sodium) would need to be long term in order to reveal trends. Paul B. indicated that this type of sampling currently occurs and that the upcoming Water Strategy will further refine these sampling protocols.

Judy spoke of the current NDCA monitoring program that is continuing for this season and indicated that there will be an upcoming meeting between NDCA and City staff to discuss this further.

Snow: Katherine explained that based on comments from the City, the snow storage site plan control policy would not be appropriate. She indicated that the snow storage threat would be addressed via an RMP and the new Official Plan stormwater policy. The SPC recommended that the Site Plan control policy will be removed.

8. New Comments from Pre-Consultation/Follow-up Edits from March 6th

OMAFRA: Katherine reviewed the pre-consultation comments from OMAFRA. Generally, OMAFRA does not support any measures that are not congruent with the *Nutrient Management Act*. The SPC considered the comments and directed the NDCA staff to thank

OMAFRA and to address their comments as per the discussion (e.g. provide the rationale on why the SPC developed the policies they did and why they think it is appropriate to retain them).

Pesticide application: The city commented on the fact that the education and outreach policy was unnecessary due to the province wide cosmetic pesticide ban. They commented that the addition of this unnecessary policy will dilute other important education initiatives.

Katherine recommended to the committee that the policy be dropped and that instead, a notice be sent to Vale highlighting the Source Protection Policy requirement. Katherine noted that all significant threats must be addressed and their property is the only area where this particular significant threat could occur. The Committee concurred with Katherine's recommendation.

MOE Safe Drinking Water Branch: Katherine indicated that the MOE had provided comments on policies related to the storage of fuels at the intakes and wells. They approve the policies however have suggested some text edits. Nels reminded committee members that these policies would also apply to Vale's Vermilion River intake.

DNAPLs: DNAPLs were discussed as a follow-up item from the March 6th meeting – see discussion above.

TSSA: Judy explained to committee members that the TSSA had originally been named as an implementing body for the transportation of diesel fuel on roadways. Our policy asks them to modify fuel haulers' licences to include or update spill contingency plans with the applicable vulnerable areas and to note that in the case of a spill the hauler must immediately notify the MOE Spills Action Centre (SAC).

There is a group working with TSSA on all of the policies it has been asked to implement. The MOE, Ministry of Consumer Services and other CAs are involved. TSSA has so far stated that the policies (like ours) do not fall within its mandate and they do not have the authority or the resources to implement them.

The SPC decided to retain this policy for now since the working group continues to attempt to move all of the policies forward and to work with TSSA / MCS / MOE.

Septics/Creation of new lots: Katherine explained that staff verbally requested that the SPC support the current WHPA severance restriction that disallows the creation of new lots on properties where a new private sewage system would be required in vulnerable areas and where they would be a significant threat.

Katherine said that our current policy, which only addresses section 21.9 of the OP, should be expanded to include the WHPA severance restriction and also any other parts of the OP that relate to septics (e.g. section 21.5 re: Ramsey).

Katherine will draft a new comprehensive policy and send it to Paul B for editing and comment.

9. Draft Source Protection Plan and Explanatory Document

Katherine briefly discussed the draft plan and explanatory document. She'll be incorporating changes from pre-consultation and the SPC meetings and sending out an updated draft on March 26th for review by MOE and the committee

10. Public Consultation

Judy reviewed the updated schedule with the Committee. The draft schedule, it has been revised to start the public consultation period on April 16th, have the open houses the week of May 15th, and end consultation on June 4th. This will provide adequate time (about 4 weeks) to make any changes stemming from consultation and to have the second consultation period from early July till early August.

11. New Business- No new business.

12. Adjournment- Nels called the meeting to a close at 4:00p.m.

13. List of Handouts Provided at Meeting

- Package including: Policies related to stormwater, Snow storage future prohibition, OMAFRA comments, Pesticide application education and outreach, MOE Safe Drinking Water Branch, DNAPLs, TSSA, Support for policy 8.4.1.8 of the OP.
- Chart: Proposed Public Consultation Schedule and Activities for the SPP.

14. Flash Drive Updates

- None provided

Next meeting: Tuesday, April 10, 2012
1:00 p.m. – 4:00 p.m.
Tom Davies Square, Room C-11